

# HOUSE BILL No. 1416

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-12-21.9-4; IC 25-23-1.

**Synopsis:** Nursing scholarship program. Provides that \$7 of each registration fee and each renewal licensing fee collected from registered nurses and licensed practical nurses shall be deposited in the nursing scholarship fund.

**Effective:** July 1, 2003.

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**Budak, Brown C, Welch, Becker**

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January 14, 2003, read first time and referred to Committee on Ways and Means.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1416

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-12-21.9-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) The nursing  
3 scholarship fund is established:

4 (1) to encourage and promote qualified individuals to pursue a  
5 career in nursing in Indiana; and

6 (2) in recognition of the fact that there is a shortage of nurses in  
7 Indiana.

8 (b) The fund consists of the following:

9 (1) Appropriations by the general assembly.

10 (2) Gifts to the fund.

11 (3) A portion of:

12 (A) each registration fee collected under IC 25-23-1-11 or  
13 IC 25-23-1-12; and

14 (B) each renewal licensing fee collected under  
15 IC 25-23-1-16.1;

16 from registered nurses and licensed practical nurses.

17 SECTION 2. IC 25-23-1-11, AS AMENDED BY P.L.181-2002,



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SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. (a) Any person who applies to the board for a license to practice as a registered nurse must:

(1) not have:

(A) been convicted of a crime that has a direct bearing on the person's ability to practice competently; or

(B) committed an act that would constitute a ground for a disciplinary sanction under IC 25-1-9;

(2) have completed:

(A) the prescribed curriculum and met the graduation requirements of a state accredited program of registered nursing that only accepts students who have a high school diploma or its equivalent as determined by the board; or

(B) the prescribed curriculum and graduation requirements of a nursing education program in a foreign country that is substantially equivalent to a board approved program as determined by the board. The board may by rule adopted under IC 4-22-2 require an applicant under this subsection to successfully complete an examination approved by the board to measure the applicant's qualifications and background in the practice of nursing and proficiency in the English language; and

(3) be physically and mentally capable of and professionally competent to safely engage in the practice of nursing as determined by the board.

The board may not require a person to have a baccalaureate degree in nursing as a prerequisite for licensure.

(b) The applicant must pass an examination in such subjects as the board may determine.

(c) The board may issue by endorsement a license to practice as a registered nurse to an applicant who has been licensed as a registered nurse, by examination, under the laws of another state if the applicant presents proof satisfactory to the board that, at the time that the applicant applies for an Indiana license by endorsement, the applicant holds a current license in another state and possesses credentials and qualifications that are substantially equivalent to requirements in Indiana for licensure by examination. The board may specify by rule what constitutes substantial equivalence under this subsection.

(d) The board may issue by endorsement a license to practice as a registered nurse to an applicant who:

(1) has completed the English version of the Canadian Nurse Association Testing Service Examination;

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(2) achieved the passing score required on the examination at the time the examination was taken;

(3) is currently licensed in a Canadian province or in another state; and

(4) meets the other requirements under this section.

(e) Each applicant for examination and registration to practice as a registered nurse shall pay a fee set by the board. The board may set a proctoring fee to be paid by applicants who are graduates of a state accredited school in another state. **Seven dollars (\$7) of the registration fee set by the board shall be deposited in the nursing scholarship fund established by IC 20-12-21.9-4.** Payment of the fee or fees shall be made by the applicant prior to the date of examination.

(f) Any person who holds a license to practice as a registered nurse in:

(1) Indiana; or

(2) a party state (as defined in IC 25-23.2-1-11);

may use the title "Registered Nurse" and the abbreviation "R.N.". No other person shall practice or advertise as or assume the title of registered nurse or use the abbreviation of "R.N." or any other words, letters, signs, or figures to indicate that the person using same is a registered nurse.

SECTION 3. IC 25-23-1-12, AS AMENDED BY P.L.181-2002, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. (a) A person who applies to the board for a license to practice as a licensed practical nurse must:

(1) not have been convicted of:

(A) an act which would constitute a ground for disciplinary sanction under IC 25-1-9; or

(B) a crime that has a direct bearing on the person's ability to practice competently;

(2) have completed:

(A) the prescribed curriculum and met the graduation requirements of a state accredited program of practical nursing that only accepts students who have a high school diploma or its equivalent, as determined by the board; or

(B) the prescribed curriculum and graduation requirements of a nursing education program in a foreign country that is substantially equivalent to a board approved program as determined by the board. The board may by rule adopted under IC 4-22-2 require an applicant under this subsection to successfully complete an examination approved by the board to measure the applicant's qualifications and background in the

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practice of nursing and proficiency in the English language;  
and

(3) be physically and mentally capable of, and professionally competent to, safely engage in the practice of practical nursing as determined by the board.

(b) The applicant must pass an examination in such subjects as the board may determine.

(c) The board may issue by endorsement a license to practice as a licensed practical nurse to an applicant who has been licensed as a licensed practical nurse, by examination, under the laws of another state if the applicant presents proof satisfactory to the board that, at the time of application for an Indiana license by endorsement, the applicant possesses credentials and qualifications that are substantially equivalent to requirements in Indiana for licensure by examination. The board may specify by rule what shall constitute substantial equivalence under this subsection.

(d) Each applicant for examination and registration to practice as a practical nurse shall pay a fee set by the board. The board may set a proctoring fee to be paid by applicants who are graduates of a state accredited school in another state. **Seven dollars (\$7) of the registration fee set by the board shall be deposited in the nursing scholarship fund established by IC 20-12-21.9-4.** Payment of the fees shall be made by the applicant before the date of examination.

(e) Any person who holds a license to practice as a licensed practical nurse in:

(1) Indiana; or

(2) a party state (as defined in IC 25-23.2-1-11);

may use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall practice or advertise as or assume the title of licensed practical nurse or use the abbreviation of "L.P.N." or any other words, letters, signs, or figures to indicate that the person using them is a licensed practical nurse.

SECTION 4. IC 25-23-1-16.1, AS AMENDED BY P.L.181-2002, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16.1. (a) A license to practice as a registered nurse expires on October 31 in each odd-numbered year. Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

(b) A license to practice as a licensed practical nurse expires on October 31 in each even-numbered year. Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

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1 (c) The procedures and fee for renewal shall be set by the board.  
2 **Seven dollars (\$7) of the renewal licensing fee set by the board**  
3 **under this subsection for:**

4 (1) registered nurses; and

5 (2) licensed practical nurses;

6 **shall be deposited in the nursing scholarship fund established by**  
7 **IC 20-12-21.9-4.**

8 (d) At the time of license renewal, each registered nurse and each  
9 licensed practical nurse shall pay a renewal fee, a portion of which  
10 shall be for the rehabilitation of impaired registered nurses and  
11 impaired licensed practical nurses. The lesser of the following amounts  
12 from fees collected under this subsection shall be deposited in the  
13 impaired nurses account of the state general fund established by section  
14 34 of this chapter:

15 (1) Sixteen percent (16%) of the license renewal fee per license  
16 renewed under this section.

17 (2) The cost per license to operate the impaired nurses program,  
18 as determined by the health professions bureau.

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